

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**z4 TECHNOLOGIES, INC.**

**Plaintiff**

**vs.**

**MICROSOFT CORPORATION,  
AND AUTODESK, INC.**

**Defendants**

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**CASE NO. 6:06-CV-258**

**MEMORANDUM OPINION AND ORDER**

Before the Court is z4 Technologies, Inc.'s ("z4") Motion to Require Quarterly Reports from Autodesk (Docket No. 17).

On June 14, 2006, the Court entered a Memorandum Opinion and Order denying z4's request for a permanent injunction against Defendant Microsoft Corporation ("Microsoft") in Case No. 6:06-cv-142, *z4 Technologies, Inc. v. Microsoft Corp. & Autodesk, Inc.* The Court did not address z4's motion for permanent injunction against Defendant Autodesk, Inc. ("Autodesk") in the June 14, 2006 Memorandum Opinion and Order because on May 24, 2006, z4 and Autodesk filed a stipulation concerning the injunction (Docket No. 382) in the 6:06-cv-142 case. In this stipulation, z4 and Autodesk agreed to a stay any decision regarding the injunction against Autodesk and stipulated to entry of an agreed injunction if the Court denied Autodesk's motions for judgment as a matter of law, for a new trial, or for a finding of unenforceability as to both patents-in-suit, and affirmed that at least one of the patents is infringed by Autodesk, not invalid and enforceable.

In the same Memorandum Opinion and Order the Court severed z4's cause of action for post-verdict infringement and ordered z4 to file the present case. The Court also ordered Microsoft to

file quarterly reports in the new action beginning on July 1, 2006 indicating the number of units sold with regard to all Microsoft products found to infringe z4's patents in the previous suit referenced above. The Court did not enter a similar order with regard to Autodesk.

On June 26, 2006, z4 filed an Amended Complaint in this action seeking post-verdict infringement damages under 35 U.S.C. § 284 from Microsoft and Autodesk. z4 now moves the Court to enter an Order requiring Autodesk to also file quarterly reports indicating the number of units sold with regard to all Autodesk products found to infringe z4's patents in the 6:06-cv-142 case.

On August 18, 2006, the Court entered a Memorandum Opinion and Order in the 6:06-cv-142 case denying Autodesk's motions for judgment as a matter of law, for a new trial, and for a finding of unenforceability as to both patents-in-suit, and affirmed that both of the patents infringed by Autodesk are valid and enforceable. Accordingly, on August 18, 2006, the Court entered an order enjoining Autodesk from infringing the '471 and '825 patents.

On August 18, 2006, the Court also entered Final Judgment in the 6:06-cv-142 case. Because final judgment has been entered in the 6:06-cv-142 case and Autodesk has been enjoined from infringing the '471 and '825 patents, the Court **ORDERS** Autodesk to file a report indicating the number of units sold between April 19, 2006 and August 18, 2006 with regard to all Autodesk products found to infringe z4's patents in the 6:06-cv-142 case. Said report should be filed no later than September 15, 2006.

**So ORDERED and SIGNED this 18th day of August, 2006.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE**